



JOY HOFMEISTER  
STATE SUPERINTENDENT *of* PUBLIC INSTRUCTION  
OKLAHOMA STATE DEPARTMENT *of* EDUCATION

MEMORANDUM

**TO:** Oklahoma State Board of Education  
**FROM:** Superintendent Joy Hofmeister  
**DATE:** May 25, 2017  
**SUBJECT:** Active education-related bills as of May 25, 2017

**Accountability, Assessments, Student Info**

**HB 1667** – Requires assessments to be reviewed for alignment to the subject matter standards in the year following adoption of new standards. Eliminates the requirement that assessments be adopted in coordination with the six-year subject area textbook adoption cycle, instead requiring the textbook adoption cycle to align with the standards adoption cycle. Waives the June 1 deadline for returning preliminary assessment results to districts and the August 1 deadline of providing final electronic data to districts and OEQA during years when new cut scores are being established. Vetoed by Governor.

**HB 1693** – Updates the A-F school accountability system to reflect requirements of the Every Student Succeeds Act. It requires the report to include grades for each indicator separately and an overview grade. It further defines the indicators to be included in the accountability system, requiring the academic indicators to make up at least 70% of the overview grade. Effective July 1, 2017. **(Signed by Gov April 28.)**

**HB 1760/SB 84** – Makes permanent the requirement that students who have not obtained automatic promotion to fourth grade be evaluated by a Student Reading Proficiency Team for probationary promotion. Requires students who score limited knowledge on the statewide assessment, who have not previously met RSA benchmarks, to be evaluated by a team for promotion or retention beginning in 2017-2018. Requires data to be collected regarding students who were retained and students who were promoted. Effective May 5, 2017. **(Signed by Gov May 5.)**

**HB 1790** – Allows school districts to offer a remediation course to students who score below a 19 on the ACT. Effective November 1, 2017. **(Signed by Gov April 24.)**

**SB 0002** – Removes the requirement that students take a statewide United States History assessment. Effective July 1, 2017. Vetoed by Governor.

## **Certification, Retirement**

**HB 1162** – Creates the Pension Protection Act, changing the amount of time an individual who becomes a member of the Teachers' Retirement System after November 1, 2017 must be employed in order to vest from five to seven years. Effective November 1, 2017. **(Signed by Gov April 24.)**

**HB 1206** – Allows a certified special education teacher who has not completed an approved program in elementary or early childhood education, but who has passed the subject area exam, to be certified to teach that subject in special education settings only. Effective November 1, 2017. **(Signed by Gov April 24.)**

**HB 1755** – Allows out-of-country certification documentation to be evaluated by an educational credential evaluation service approved by the State Department of Education. Effective July 1, 2017. **(Signed by Gov April 24.)**

**HB 1957** – Removes the two-year work experience requirement for teachers enrolled in an alternative certification program. Effective July 1, 2017. **(Signed by Gov April 24.)**

**SB 0029** – Allows a school board the option of not seeking a new criminal history record check for an individual who has obtained certification (meaning they had a criminal history record check at the time of certification) from the State Department within the previous twelve months. Effective July 1, 2017. **(Signed by Gov May 3.)**

**SB 0428** – For three years beginning July 1, 2017, those who have retired as active classroom teachers and who have not been employed by any public school for at least one year post-retirement will be eligible to be re-employed as an active classroom teacher with no limitations on earnings. This provision is in effect for a period of three years. Effective July 1, 2017. **(Signed by Gov May 15.)**

## **Charter Schools**

**SB 0244** – Requires each virtual charter school board to adopt an attendance policy by July 1, 2018, which may allow attendance to be a proportional amount of the required attendance policy provisions. States that a student is considered in attendance for a quarter if they 1) complete instructional activities on at least 90% of the days 2) is on pace for course completion, or 3) completes no less than 40 instructional activities within the quarter. Effective January 1, 2018. **(Signed by Gov May 12.)**

## **Children, Families, Students**

**SB 718** – Allows a state-licensed children's emergency resource center to serve as the legal residence of any child for school purposes. Children's emergency resource center is defined as a

community-based emergency care center that provides a stable environment for children who are detained as delinquent or in need of supervision and who are temporarily placed by a court, or who are in the custody of OJA during a temporary crisis, and provide food, clothing, shelter and hygiene, after-school tutoring, counseling, transition services, respite care, transportation to or from school, court and other activities, etc. Effective November 1, 2017. **(Signed by Gov May 12.)**

## **Counseling**

**HB 1506** – Allows school districts to store student records in either a single-file or multiple-file format. Changes the requirement for student transcripts to include academic and extracurricular honors and awards, degrees conferred and extracurricular or after-school activities from mandatory to optional. Effective July 1, 2017. **(Signed by Gov April 24.)**

**HB 2155** – Requires the State Board to adopt a system of statewide Individual Career Academic Plans (ICAP). Beginning in 2019-2020, students entering ninth grade must complete an ICAP in order to graduate. ICAPs for each student will include career and college interest surveys; postsecondary and workforce goals; progress toward said goals; academic progress; and experience in work environment activities. Effective November 1, 2017. **(Signed by Gov May 2.)**

**SB 529** – Makes several changes to Oklahoma's Promise (OHLAP), including allowing students enrolled in CareerTech programs to be eligible for the program. Requires students to meet the requirements for retention and degree completion established by the institution in order to remain eligible, and beginning with the 2018-19 school year prohibits payments for remedial noncredit-earning courses. Beginning with the 2017-18 school year, excludes students from OHLAP awards whose parent's federal adjusted gross income (AGI) exceeds \$55,000 per year. Beginning with applicants in the 2021-22 school year, excludes students from OHLAP awards whose parent's federal AGI exceeds \$60,000 per year. Also, excludes students whose parent's AGI exceeds \$100,000 per year for any year during which the student is enrolled. Effective July 1, 2017. **(Signed by Gov May 16.)**

## **Curriculum**

**HB 1602** – Requires school district boards of education to adopt a grading policy requiring teachers to assign grades that reflect the relative mastery of an assignment by a student. The policy must not require a teacher to assign a minimum grade for an assignment. The policy must allow a student a reasonable opportunity to make up or redo a class assignment or exam for which s/he received a failing grade. (Bill failed in the Senate.)

**HB 1694** – Requires personal financial literacy (PFL) courses to include instruction on managing a bank account and understanding the FAFSA. Beginning with the 2020-21 school year, all teachers assigned to teach PFL will be required to complete ongoing professional development as determined by the OSDE. Requires each deferred deposit lender to pay 30 cents (changed from five cents) for each deferred deposit loan, eight cents of which will be deposited in the

Consumer Credit Counseling Revolving Fund and 22 cents of which will be deposited in the Personal Financial Literacy Education Revolving Fund. Allows funding from the Personal Financial Literacy Education Revolving Fund to be used for developing guidelines, materials and resources for students and teachers, including training and professional development. Effective July 1, 2017. **(Signed by Gov May 16.)**

**HB 2156** – Allows students completing the core curriculum units for graduation to have the option of taking one unit of computer education OR one unit of foreign or non-English language. Effective July 1, 2018. **(Signed by Gov April 26.)**

**SB 0393** – Creates the Oklahoma Science Education Act, requiring the State Board of Education, school district boards of education, school district superintendents, and school principals to endeavor to create a school environment that encourages students to explore scientific questions and learn about scientific evidence and to assist teachers to find effective ways to present scientific controversies in their curriculum. Prohibits the State Board of Education, school district boards and superintendents, and school principals from prohibiting teachers from helping students understand and critique strengths and weaknesses of scientific theories. Effective July 1, 2017. **(Did not meet the deadline to be heard in committee in the opposite chamber and is now inactive.)**

### **Employment, Personnel, Compensation**

**HB 1114** – Provides a \$1,000 teacher pay raise during the 2017-18 school year, a \$2,000 pay raise during the 2018-19 school year, and a \$3,000 pay raise during the 2019-20 school year. Effective July 1, 2017. **(Did not meet the deadline to be heard in committee in the opposite chamber and is now inactive.)**

**HB 1621** – Requires educational service contractors to be paid under the same terms as the Employment Security Act. Should a contractor provide services between two successive academic years or terms, or if services are performed in one academic year with reasonable assurance that the individual will be rehired in the following year, unemployment benefits are not required to be paid between the two years or terms. Effective November 1, 2017. **(Signed by Gov April 24.)**

**HB 1622** – Requires school districts to notify a teacher if they intend to provide retirement benefits that would result in the teacher's salary being less than the minimum salary schedule. Effective November 1, 2017. **(Signed by Gov April 13.)**

**HB 1952** – Prohibits school districts from taking disciplinary action against teachers for disclosing public information in order to correct what the teacher believes to be a violation of the Oklahoma Constitution or law; or for reporting a violation of the Oklahoma Constitution, or state or federal law; or for taking either of the previous actions without giving prior notice to the teacher's supervisor. Requires school districts to post a copy of this section of law where it can be read by teachers. Effective November 1, 2017. **(Signed by Gov May 17.)**

**HB 2157** – Allows districts to pay retention incentive pay to teachers for returning the next year. Such payments are not to be included in “compensation.”

HB 2386 -

**SB 0514** – Requires a 12-member task force to study shared administrative services, including how to reduce administrative costs, physical size and proximity to other districts, ADM and academic performance and submit a report to the Governor and the leadership of the Legislature by Aug. 1, 2018. The State Department of Education must send a copy of the task force’s report to the superintendent and school board of each district listed in the report. Effective July 1, 2017. **(Signed by Gov May 10.)**

### **Funding, Budget**

**HB 1201** – Deletes the requirement for school districts to provide copies of credit card statements to the State Department of Education for posting on the state transparency website. Effective November 1, 2017. **(Signed by Gov May 1.)**

**HB 1202** – Defines per-pupil expenditure to mean the aggregate current expenditures from all funding sources divided by the aggregate student membership number for the same current year. The definition excludes any expenditures not related to day-to-day operations. This bill will align Oklahoma’s per-pupil expenditure definition with that of the National Center for Education Statistics (NCES). Effective November 1, 2017. **(Signed by Gov May 3.)**

**HB 1578** – Creates a task force consisting of 16 members appointed by the Governor, House and Senate leadership, and State Superintendent, to study the State Aid funding formula, local ad valorem rates, formula structure, and efficiencies and cost-saving measures of school districts. The task force must submit a report of its findings by December 31, 2018. Also, creates the School Finance Review commission with appointments from the Governor, Lt. Governor, House and Senate leadership and minority leadership. Also, includes the Executive Director of OEQA the State Superintendent as ex officio, non-voting members. The Commission will conduct a review of all matters related to school finance, including but not limited to teacher compensation, benefits and administration costs and submit a report by December 31, 2023 and every four years thereafter. For both the task force and the commission, the OEQA will provide staff and administrative support with assistance from the OSDE. Effective July 1, 2017.

**HB 1837** – Requires the first \$50 million of net proceeds of the Oklahoma Lottery Commission to be transferred to the Oklahoma Education Lottery Trust Fund and requires the Commission to submit an annual report to the Governor, Speaker and President Pro Tempore of the Senate on the impact of having a set dollar amount allocated for education (versus a percentage). Any proceeds that exceed the \$50 million must be appropriated by the Legislature for the OSDE to allocate to public schools for reading intervention and STEM programs. Effective 90 days after Sine Die Adjournment. **(Signed by Gov May 2.)**

**HB 1949** – Requires school districts to post on their website or make accessible in another method within 30 days after the approval of a bond vote, a description of the projects, previously approved unpaid or unfinished bond projects, and a detailed description of the use of the previous bond proceeds. Effective November 1, 2017. **(Signed by Gov April 24.)**

**SB 0170** – Declares actions taken by the State Board of Equalization null and void that would result in the individual income tax decreasing from 5.0 percent to 4.85 percent. Effective November 1, 2017. **(Signed by Gov. May 15.)**

**SB 0261** – Establishes a task force until December 31, 2018, to study the state aid formula and make recommendations to the Legislature. The study must include, but not be limited to, grade level weights, student category weights and transportation. The task force must submit a report to the Governor, the President Pro Tempore of the Senate, the Speaker of the House and the education committee chairs. Effective July 1, 2017. **(Did not meet deadline to be heard in committee in the opposite chamber and is now inactive.)**

**SB 476** – Directs that motor vehicle fees apportioned to school districts be based upon the proportion that each district's average daily attendance (ADA) bears to the total ADA for those districts as certified by the OSDE. Effective 90 days after Sine Die adjournment. **(Signed by Gov May 15.)**

**SB 563** – Allows a school district to participate in a cooperative purchasing agreement, in addition to interlocal coop agreements, for the acquisition of any commodities or services with a public agency. Any local public procurement unit may participate in "piggybacking purchasing agreements" for any commodities or services, including construction services, with other public procurement units or external procurement units, which include any buying organization in the US. Effective November 1, 2017. **(Signed by Gov May 12.)**

## **Professional Development**

**HB 1576** – Requires the Commission for Educational Quality and Accountability to adopt rules requiring coursework or training in digital technologies as a requisite for teacher preparation programs to be accredited by November 1, 2017. State professional development procedures also must include digital teaching and learning standards to enhance content delivery to students in order to improve achievement. Effective July 1, 2017. **(Signed by Gov April 6.)**

## **School Boards**

**HB 2181** – Requires the minute clerk of each school district board to provide tentative minutes of every regular and/or special meeting within four business days (rather than five) to newspapers that submit a written request. Effective November 1, 2017. **(Signed by Gov April 13.)**

**SB 321** – Requires notice of all proposals to award public construction contracts to be published in the local newspaper for the first time at least 21 days (rather than 20 days) prior to the date for opening bids. Effective November 1, 2017. **(Signed by Gov April 13.)**

## **School Sites**

**HB 1684** – Requires any school district adopting a four-day school week to submit a plan to the State Board of Education by September 1 of that year. The plan must detail the goals sought to be achieved, the intended educational and fiscal benefits, and the anticipated impact and outcomes the plan will have, including any potential disadvantages. Districts that have gone to a four-day school week must submit a report to the State Department of Education by August 1 each year regarding the benefits and savings yielded by the move to a four-day week. Effective November 1, 2017. **(Did not meet deadline to be heard in committee in the opposite chamber and is now inactive.)**

**HB 1715** – Creates the Patriotic Access to Students in Schools (PASS) Act to encourage increased community involvement in schools. Requires that school buildings and property be made available to any youth group listed in Title 36 of the U.S. Code as a patriotic society (i.e. Boy Scouts, Girl Scouts) for providing services for students outside of instructional time. Requires principals to allow representatives of patriotic societies to speak with and recruit students during school hours. Effective 90 days after Sine Die Adjournment. **(Signed by Gov May 2.)**

**HB 1875** – Allows a school district to donate leftover food to a nonprofit organization that is directly affiliated with the school, such as through a teacher, counselor, or PTA member. The donated food may be redistributed on the school site. Exempts districts and the participating nonprofit organizations exempt from liability. Effective November 1, 2017. **(Signed by Gov April 6.)**

**HB 2277** – Requires students in public schools to recite the pledge of allegiance every day, rather than once a week. Effective November 1, 2017. **(Did not meet deadline to be heard in committee in the opposite chamber and is now inactive.)**

## **Special Education**

**HB 1459** – Allows students with an individualized service plan (ISP) to access the Lindsey Nicole Henry Scholarship. Exempts students who were adopted while in the permanent custody of the Department of Human Services and students who are in out-of-home placement with the Office of Juvenile Affairs from the requirement of attending an Oklahoma public school one year prior to be eligible for the scholarship. Also, exempts students who are evaluated and identified as eligible for special education and related services prior to enrollment in the second grade to be exempt from the requirement of attending an Oklahoma public school one year prior to be eligible for the scholarship. Effective upon signature.



**HB 1623** – Prohibits schools from using corporal punishment on students identified to have “the most significant cognitive disabilities” according to criteria established by the State Department of Education unless addressed in an IEP. Effective November 1, 2017. **(Signed by Gov May 10.)**

**HB 1789** – Requires training for prospective teachers in order to meet the needs of students with dyslexia, including strategies for instruction, assessment and intervention. The training will be informed by reports and groups such as the Report of the National Reading Panel, the Response to Intervention guidelines, the Council for Exceptional Children, the International Dyslexia Association, the International Literacy Association, the National Council of Teachers of English and the National Association for the Education of Young Children. Effective July 1, 2017. **(Signed by Gov April 24.)**

**HB 2008** – Creates the Dyslexia and Education Task Force, which is directed to create a handbook to guide schools, students and parents in identifying, intervening and supporting students with dyslexia. The task force will have 20 members including the Superintendent of Public Instruction. Appointments must be made by September 1, 2017. The task force must issue a report of its findings to the Legislature and Governor by December 1, 2018. Effective May 15, 2017. **(Signed by Gov May 15.)**

**SB 301** – Exempts students who were in out-of-home placement with DHS, who were adopted while in DHS custody, or who were in out-of-home placement with the Office of Juvenile Affairs to be exempt from the requirement to spend the prior school year in attendance at a public school in order to participate in the Lindsey Nicole Henry Scholarship program. Effective September 1, 2017. **(Signed by Gov May 12.)**

## **State Dept. of Education**

**HB 1577** – Requires the State Department of Education to put an accounting of all vacant/unused properties owned, leased or under control of a school district on its transparency website. This does not include properties intended for storage. Effective July 1, 2017. (Bill failed in the House.)

**HB 1999** – Requires all rules promulgated by every agency, board and commission to sunset once every four years. Requires a joint committee to review the rules during the year preceding the sunset.

**HB 2311** – Creates the Agency Performance and Accountability Commission, which is to conduct independent, comprehensive performance audits for each of the top-20 appropriated executive branch agencies once every four fiscal years. Allows the Commission to audit any other agency at its discretion, subject to the availability of funds. Requires the Commission to issue an annual report by December 31 of each year. Allows the commission to contract with a private company or with the State Auditor to conduct the audits. Cost of audits will be paid by the Legislative Services Bureau. Audits will include a review of policies, mandates and rules, all



funding sources, and management of the agency. Requires the agency to implement any recommendations. Effective upon signature. (Bill has been sent to the Governor for signature.)

**SB 0045** – Authorizes the OSDE to contract directly with educators for services, when it needs the expertise and qualifications of a certified educator, without being subject to state competitive bidding requirements. Effective July 1, 2017. **(Signed by Gov April 24.)**

**SB 0697** – Directs that agencies cannot pass rules except only to implement law or policy as set by the Legislature. Requires all rules, old and new, to include specific statutory reference within three years. Effective 90 days after sine die. **(Vetoed by Gov May 17.)**

### **Teacher Shortage**

**SB 0014** – Creates the Oklahoma License to Educate License Plate, the fees from which will be deposited in the Oklahoma Teacher Recruitment Revolving Fund (created in SB 0015). Effective November 1, 2017. **(Signed by Gov April 25.)**

**SB 0015** – Directs the OSDE and the State Regents to develop a teacher recruitment program, emphasizing (but not limiting to) high school and undergraduate students, mid-career and retired professionals, retired or honorably discharged military personnel, and members of underrepresented gender and ethnic groups. The program will be financed by the Oklahoma Teacher Recruitment Revolving Fund, which will get its funds from the Oklahoma License to Educate License Plate fees. Effective July 1, 2017. **(Signed by Gov May 1.)**